

EXHIBIT 8
DATE 02/08/07
#B 562

Administrative Rules of Montana

Updated Through March 31, 2006

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COMMISSIONER OF POLITICAL PRACTICES

44.10.335

(3) Surplus campaign funds will be considered to have been "disposed of" on the date payment is made by the candidate or the candidate's committee to a permissible person, entity, or account.

(4) The candidate shall be responsible for obtaining a receipt containing the requisite information from all recipients of any surplus campaign funds. Payment of surplus campaign funds shall be evidenced by a receipt from the recipient containing the following information:

- (a) The full name and mailing address of the recipient;
- (b) The date the funds were received;
- (c) The full name of the candidate from whose campaign the funds were received, and;
- (d) The exact amount of funds received.

(5) Those candidates with surplus campaign funds shall file a supplement to the closing campaign report, on a form prescribed by the commissioner, showing the disposition of surplus campaign funds.

The report shall be accompanied by copies of all receipts required by (4) of this rule. The supplement shall be filed within 135 days after the closing report is filed.

(6) A candidate shall abide by the prohibitions on the use of surplus campaign funds specified in 13-37-240, MCA.

(a) For purposes of the restrictions on the disposal of surplus campaign funds set forth in 13-37-240, MCA, "personal benefit" is defined in 13-37-240(2), MCA. For purposes of this definition, a candidate's "immediate family" includes the candidate's spouse and minor children only.

(b) For purposes of the restrictions on the disposal of surplus campaign funds set forth in 13-37-240, MCA, "campaign" means any organized effort to secure or prevent the nomination or election of a candidate for public office, or secure or prevent passage of a ballot issue.

(c) The following are examples of permissible uses of surplus campaign funds:

(i) Return of the funds to the contributor, so long as the funds will not result in personal benefit or a contribution to a campaign;

(ii) Donation of the funds to any organization or entity, so long as the use of the funds will not result in personal benefit or a contribution to a campaign;

(iii) Upon election, use of the funds to establish an account to serve a public purpose related to the officeholder's public duties, so long as the funds will not result in personal benefit or a contribution to a campaign.

ADMINISTRATIVE RULES OF MONTANA

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